

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION

UNITED STATES OF AMERICA,	)	CASE NO.: 3:18CR162
	)	
Plaintiff,	)	JUDGE JAMES G. CARR
	)	
v.	)	
	)	
KELLAND WRIGHT,	)	<u>UNITED STATES OF AMERICA'S</u>
	)	<u>DISCLOSURE OF EXPERT WITNESS</u>
Defendant.	)	

Pursuant to Federal Rule of Criminal Procedure 16(a)(1)(G), the Government hereby advises Defendant that it intends to call the following witness as an expert witness offering opinion testimony:

**Eve E. Eisenbise, Firearms Enforcement Officer, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).** Officer Eisenbise will testify as an expert witness on firearm classifications. She is expected to testify about her analysis, findings, and conclusions, regarding the firearm identified in Count 1 of the Indictment: a Spike's Tactical, model The Jack, AT-type rifle, serial number JACK 12022 (hereinafter the "Firearm"). She will testify about her conclusions and the bases for those conclusions, which are contained in the report and results that the Government provided to defense counsel the morning of July 13, 2018, at Bates range GOVT 26-41. The Government files the report, supporting photographs, and statement of qualifications contemporaneously with this Notice. (Ex. 1.)

Officer Eisenbise will testify about her analysis and methods, which include the following:

- (1) her method for measuring the Firearm's barrel length;

- (2) her method for measuring the Firearm's overall length;
- (3) her method for measuring the Firearm's length of pull;
- (4) her method for photographing the Firearm; and
- (5) her method for test firing the Firearm.

Officer Eisenbise will testify about her findings, which include the following:

(1) the Firearm is a Spike's Tactical, model The Jack, 300 BLK caliber, AR-type rifle, serial number JACK 12022, which was assembled with a removable muzzle device (flash suppressor/blast diffuser), forward grip, and a collapsible shoulder stock;

(2) the collapsible stock has been assembled by using a piece of black cord to attach a rubber pad (Nev-a-slip brand cane tip) to the back end of a Maxim Defense collapsible "extension only" device. The redesign of the extension device was done in such a manner that provides a pad for shouldering, and in a manner which creates a length of pull that facilitates its use as a shoulder stock;

(3) the Firearm was designed or redesigned with characteristics and features that are for the purpose of being fired from the shoulder;

(4) the Firearm's barrel length is approximately 7-11/16 inches;

(5) the Firearm's overall length is approximately 25-3/4 inches; and

(6) the Firearm's length of pull is approximately 13-3/4 inches (as compared to most standard factory rifles, which have a length of pull from 13-1/2 inches to 14-1/2 inches).

Officer Eisenbise will testify about her conclusions, which include the following:

(1) the Firearm is a rifle having a barrel less than 16 inches in length;

(2) the Firearm is a "firearm" as defined in 18 U.S.C. § 921(a)(3); and

(3) the Firearm is a “firearm” as defined in 26 U.S.C. § 5845(a)(3).

Respectfully submitted,

JUSTIN E. HERDMAN  
United States Attorney

By: /s/ Noah P. Hood  
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CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of July 2018 a copy of the foregoing document was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's system.

/s/ Noah P. Hood

Noah P. Hood

Assistant U.S. Attorney